II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 3 November 1975

on the supply of skimmed-milk powder to the International Committee of the Red Cross as emergency food aid in favour of victims of the disaster in Angola

(Only the French and Dutch texts are authentic)

(75/683/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68 [1] of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75 [2], and in particular Articles 7 (5) and 28 thereof;

Whereas Council Regulation (EEC) No 1827/74 [3] of 11 July 1974 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations provides *inter alia* that 3 000 metric tons of skimmed-milk powder shall be made available to the International Committee of the Red Cross (ICRC); whereas the ICRC has requested the supply of 57 metric tons of skimmed-milk powder for victims of the disaster in Angola;

Whereas Article 5 of Council Regulation (EEC) No 1826/74 [4] of 11 July 1974 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations stipulates that in case of emergency actions the forwarding costs may be determined by a procedure of mutual agreement;

Whereas, in view of the worsening of the situation in Angola and of the need to provide immediate aid, it is necessary to deliver the requested quantity by air; whereas the Belgian Government shall take in charge the free transport by air of a quantity of 32 metric tons; whereas mutual agreement must be sought for the forwarding of this quantity from the storage depot to the airport of embarkation; whereas, for the balance of 25 metric tons, those costs as well as the air transport costs must be determined by mutual agreement;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with the provisions of Regulations (EEC) No 1826/74 and (EEC) No 1827/74, 57 metric tons of skimmed-milk powder bought in pursuant to Article 7 of Regulation (EEC) No 804/68 shall be delivered to the ICRC for the victims of the disaster in Angola.

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[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 74, 22. 3. 1975, p. 1.
[3] OJ No L 190, 13. 7. 1974, p. 22.
[4] OJ No L 190, 13. 7. 1974, p. 20.

2. The skimmed-milk powder shall satisfy, as regards quality and packing, the requirements laid down in Annex I to Commission Regulation (EEC) No 1108/68 (1) of 27 July 1968 concerning the methods of public storage of skimmed-milk powder, as last amended by Regulation (EEC) No 1457/75 (2).

The packing of the skimmed-milk powder shall bear a red cross 10 cm by 10 cm and shall be marked with the following words in letters at least one centimetre high : 'Lait écrémé en poudre — Don de la Communauté économique européenne — Action du Comité international de la Croix-Rouge — A distribuer gratuitement'.

Article 2

1. The skimmed-milk powder shall be taken from

— the Belgian intervention agency as regards a quantity of 32 metric tons,

— the Luxembourg intervention agency as regards a quantity of 25 metric tons.

The intervention agency concerned shall supply 2 % extra empty bags.

2. The delivery shall take place as soon as possible and in any case not later than 11 November 1975.

Article 3

1. The Belgian Government shall provide the transport by air to Angola of the quantity of skimmed-milk powder collected from its intervention agency. The shipment shall take place at a Belgian airport to be designated by the Commission to the intervention agency concerned.

The amount covering the delivery costs from the storage depot of the intervention agency to the stage free airport shall be determined by the intervention agency concerned by mutual agreement on the least onerous terms possible.

2. The Luxembourg intervention agency shall draw up a private contract or contracts on the least onerous terms possible for the delivery at airport of Luanda (Angola) for the quantity of skimmed-milk powder relating to it.

3. The intervention agencies shall immediately forward to the Commission a copy of the private contracts.

Article 4

1. The recipient organization shall bear all costs subsequent to delivery of the goods including the unloading costs.

2. A delivery certificate shall be issued on delivery by the receiving agent nominated by the recipient organization.

Article 5

No refund or compensatory amount (whether monetary or accession) shall be granted in respect of the skimmed-milk powder delivered pursuant to this Decision.

Article 6

This Decision is addressed to the Kingdom of Belgium and to the Grand Duchy of Luxembourg.

Done at Brussels, 3 November 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No L 184, 29. 7. 1968, p. 34.
(2) OJ No L 145, 6. 6. 1975, p. 17.